

Amendment No. 1 to SB2132

**Yarbro
Signature of Sponsor**

AMEND Senate Bill No. 2132*

House Bill No. 2301

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding any law to the contrary, any provision of a settlement agreement entered into by a governmental entity that has the effect of prohibiting the disclosure of details or of identities of persons relating to a claim by any of the parties is void and unenforceable as contrary to the public policy of this state; except that identifying information concerning a person who is a victim of sexual harassment or an offense under title 39, chapter 13, part 5; title 39, chapter 17, part 10; § 39-13-111; § 39-13-605; § 39-15-302; § 39-15-401; or § 39-15-402 shall be deemed confidential until such person authorizes the disclosure of the information. Where the governmental entity enters into a settlement agreement relating to a claim incident to payment of monies to a plaintiff and the person or persons responsible for the liability are not identified, the chief executive officer and chair of the governing board, if any, shall certify under oath that a full investigation has been made into the matters alleged, and that the investigation was unable to identify a person or persons responsible for the acts giving rise to the liability.

(b) As used in this section:

(1) "Claim" means a claim of sexual harassment or an offense under title 39, chapter 13, part 5; title 39, chapter 17, part 10; § 39-13-111; § 39-13-605; § 39-15-302; § 39-15-401; or § 39-15-402; and

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(2) "Governmental entity" means any lawfully established department, agency, or entity of this state or of any political subdivision of this state.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.